Weekly Compilation of
PRESIDENTIAL DOCUMENTS

Monday, September 3, 1973

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WEEKLY COMPILATION OF

Presidential Documents

Published every Monday by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, the *Weekly Compilation of Presidential Documents* contains statements, messages and other Presidential materials released by the White House during the preceding week.

The *Weekly Compilation of Presidential Documents* is published pursuant to the authority contained in the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (30 F.R. 9573; 1 CFR Part 32).

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There are no restrictions on the republication of material appearing in the *Weekly Compilation of Presidential Documents*.

Administration of Richard Nixon

PRESIDENTIAL DOCUMENTS

Week Ending Saturday, September 1, 1973

United States Ambassador to the Kingdom of Saudi Arabia

Announcement of Intention To Nominate James E. Akins. August 27, 1973

The President today announced his intention to nominate James E. Akins, of Akron, Ohio, to be Ambassador to the Kingdom of Saudi Arabia. In Jidda, he will succeed Nicholas G. Thacher, a career Foreign Service officer who has held the position since September 8, 1970.

Mr. Akins, also a career Foreign Service officer, has been Director of the Office of Fuels and Energy, Department of State, since 1969. He served in the Department from 1965 to 1969, from 1967 to 1969 as an International Economist. He speaks Arabic (Eastern), French, and German.

He was born on October 15, 1926, in Akron, Ohio. Mr. Akins received his B.A. degree from Akron University in 1947 and attended the University of Strasbourg, France, from 1949 to 1951. From 1945 to 1946, he served in the U.S. Navy, from 1948 to 1950 he was a relief distribution worker with the American Friends Service Committee in Germany, and from 1951 to 1952 he was a teacher in the American Community School in Beirut.

Mr. Akins joined the Department of State in the Passport Office in 1953 and became a Foreign Service officer in 1954, serving overseas in Paris, Strasbourg, and Damascus until 1957–58, when he took Arabic language and area studies in Beirut. He served as an economic officer and later principal officer in Kuwait during 1958–61.

He is married to the former Marjorie Abbott. They have one son and one daughter and reside in Washington, D.C.

NOTE: The announcement was released at San Clemente, Calif.

Law Enforcement Assistance Administration

Announcement of Designation of Richard W. Velde as Deputy Administrator for Policy Development. August 27, 1973

The President today announced the designation of Richard W. Velde, of Arlington, Va., as Deputy Administrator for Policy Development of the Law Enforcement Assistance Administration. Since March 1969, Mr. Velde has served as an Associate Administrator of Law Enforcement Assistance.

The Crime Control Act of 1973 (Public Law 93–83), signed by the President on August 6, 1973, abolished the two positions of Associate Administrator of Law Enforcement Assistance and established the new positions of Deputy Administrator for Policy Development and Deputy Administrator for Administration, in the Law Enforcement Assistance Administration. The position of Administrator of Law Enforcement Assistance, which was unchanged by the law, continues to be held by Donald E. Santarelli.

From 1965 until he became Associate Administrator of Law Enforcement Assistance, Mr. Velde was minority counsel to the Senate Subcommittee on Criminal Law and minority counsel to the Senate Subcommittee on Juvenile Delinquency. From 1961 to 1965, he was engaged in the private practice of law in Washington, D.C., and from 1958 to 1960 he was legislative assistant to Congressman Robert Michel of Illinois.

He was born on December 12, 1931, in Moline, Ill. Mr. Velde received his B.S. degree from Bradley University, and M.A. and J.D. degrees from George Washington University. He served as an officer in the U.S. Air Force from 1953 to 1958. He is married and has two sons.

NOTE: The announcement was released at San Clemente, Calif.

National Labor Relations Board

Announcement of Intention To Nominate Howard Jenkins, Jr., for Reappointment as a Member. August 27, 1973

The President today announced his intention to nominate Howard Jenkins, Jr., of Washington, D.C., for reappointment as a member of the National Labor Relations Board for the term expiring August 27, 1978.

Mr. Jenkins was first appointed to the National Labor Relations Board in August 1963, and was reappointed in 1968. From 1956 until his appointment to the NLRB, Mr. Jenkins was with the Department of Labor, serving as an attorney in the Office of the Solicitor (1956–57), Special Assistant to the Solicitor of Labor for International Labor Affairs (1957–59), Director of the Office of Regulations in the Bureau of Labor-Management Reports (1959–62), and Assistant Commissioner of the Bureau of Labor-Management Reports (1962–63).

He was born on June 16, 1915, in Denver, Colo. Mr. Jenkins received his A.B. (1936) and LL.B. (1941) degrees from the University of Denver and has done graduate work in law at New York University. From 1942 until 1946, he was an attorney for Federal agencies in Denver, and from 1946 to 1956 he was professor of law at Howard University. From 1946 to 1947 he was also a consultant to the General Counsel of the National Wage Stabilization Board.

Mr. Jenkins is married to the former Alice Alaine Brown. They have two sons and one daughter and reside in Washington, D.C.

NOTE: The announcement was released at San Clemente, Calif.

The President's Properties in San Clemente and Key Biscayne

Announcement of Audit of Transactions in Connection With the Properties. August 27, 1973

President Nixon today released an independent audit of transactions leading to the acquisition of his properties in San Clemente and Key Biscayne.

President Nixon took the unprecedented step of releasing this detailed information following false allegations that campaign funds had been used to acquire the San Clemente property.

The report, prepared by the accounting firm of Coopers & Lybrand, shows that the sources of financing these purchases by the President and Mrs. Nixon were their own funds, loans from banks, and loans at 8 percent interest from Robert Abplanalp, a longtime personal friend.

The report shows that, from their personal funds, the Nixons spent $217,000 for improvements, furnishings, and other costs at San Clemente, and $76,000 for improvements at Key Biscayne. They remained obligated at May 31, 1973, under mortgages, in the amount of $264,440 at San Clemente and $161,000 at Key Biscayne. The report also shows that during the period from January 1, 1969, to May 31, 1973, they spent from their own funds, $169,000 in the maintenance and operation of these properties.

Accompanying the Coopers & Lybrand report, the President also released the complete file of legal documents covering the purchase of about 28.9 acres at San Clemente and the subsequent resale of 23 of those acres to the B & C Investment Company, a partnership owned by Mr. Abplanalp and Mr. C. G. Rebozo. Abplanalp recently acquired the Rebozo interest in the company.

The preparation of an audited report on the Key Biscayne and San Clemente properties required, in accordance with accepted auditing practice, a detailed audit of the Nixons' financial affairs from January 1, 1969, to the latest practicable date in 1973.

NOTE: The announcement was released at San Clemente, Calif.

The White House Press Office made available the letter to President and Mrs. Nixon, detailing the results of the Coopers & Lybrand audit. The letter, with minor typographical changes to adapt the tabulations to the printed format, reads as follows:

August 20, 1973

Dear Mr. President and Mrs. Nixon:

On this date we reported upon our examination of the statement of your assets and liabilities, at May 31, 1973 and the related statement of changes in your net assets for the period from January 1, 1969 to May 31, 1973.

Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

We examined, among other things, the accounting records and other documents relating to: the purchase of your residential properties in Key Biscayne, Florida and San Clemente, California and the sources of funds used therefor; the sale of a part of your interest in the San Clemente property; and the costs paid by you for improvements and for operations of the residential properties through May 31, 1973.

At your request we set forth below, as supplemental information the details with respect to: (a) the purchase of your residential properties and the sources of funds used therefor; (b) the amounts paid (i) with respect to the related obligations including interest, (ii) for improvements and furnishings, and (iii) for operations of the residential properties, all through May 31, 1973; and (c) the balance of those obligations outstanding at that date that are related to the properties.

RESIDENTIAL PROPERTIES, KEY BISCAYNE

500 Bay Lane. Your property at 500 Bay Lane, Key Biscayne, Florida consisting of land, building and furnishings was purchased on December 19, 1968 from Senator and Mrs. George A. Smathers for $125,000. Other costs in connection with the purchase were $527. The total purchase price of this residence was $125,527.

Payment for this property was made as follows:

Assumption of unpaid balance of mortgages payable to:		
First Federal Savings & Loan Association of Miami	$45,373	
Chaswil, Inc. (mortgage subsequently transferred to Paul E. Williams)	36,875	$82,248
Amount paid from bank loan (described below)		43,497
		125,745
Less, Net settlement for interest, taxes, etc		218
Total		125,527

516 Bay Lane. Your property at 516 Bay Lane, Key Biscayne, Florida consisting of land, building and furnishings was also purchased on December 19, 1968 from Manuel Arca, Jr. and Evora Bonet de Arca for $127,800. Other costs in connection with the purchase were $128. The total purchase price of this residence was $127,928.

Payment for this property was made as follows:

Assumption of unpaid balance of mortgage payable to First Federal Savings & Loan Association of Miami	$27,718
Promissory note and purchase money mortgage issued to Manuel Arca, Jr. and Evora Bonet de Arca, sellers with annual interest of 7.5 percent (the Arca note)	80,000
Amount paid from bank loan (described below)	20,243
	127,961
Less, Net settlement for interest, taxes, etc	33
Total	127,928

The two previously mentioned payments of $43,497 and $20,243 were made from the proceeds of an unsecured loan to you in the amount of $65,000, obtained on December 19, 1968 from the First National Bank of Miami. These proceeds were disbursed as follows:

Paid to Senator and Mrs. George A. Smathers	$43,497
Paid to Manuel Arca, Jr. and Evora Bonet de Arca	20,243
Sundry expenditures in connection with the loan closing	643
	64,383
Cash remitted to you	617
Total loan	65,000

During the period from December 19, 1968 to June 13, 1969, you made monthly payments with respect to the mortgages on the Bay Lane residences from your personal funds. The payments were as follows:

	Principal	Interest	Total
First Federal Savings & Loan Association of Miami:			
500 Bay Lane	$805	$1,349	$2,154
516 Bay Lane	595	630	1,225
Chaswil, Inc./Paul E. Williams	584	916	1,500
Total	1,984	2,895	4,879

On June 13, 1969, the existing mortgages with respect to the property at 516 Bay Lane were paid. You provided $11,100 from your personal funds and the balance was paid from the proceeds of your mortgage note payable to Greater Miami Federal Savings & Loan Association for $100,000.

These funds were applied as follows:

Payment in full of unpaid principal and interest ($3,000) of the Arca note	$83,000
Payment in full of the unpaid principal and interest ($195) of the mortgage payable to First Federal Savings & Loan Association of Miami	27,318
Sundry costs in connection with the refinancing	782
Total	111,100

On September 4, 1969, you repaid from your personal funds the loan of $65,000 to the First National Bank of Miami and the interest thereon of $3,504.

You also paid from your personal funds the monthly installments on the existing mortgages on these properties as they have become due from June 13, 1969 to May 31, 1973. These payments are summarized as follows:

	Principal	Interest	Total
First Federal Savings & Loan Association of Miami	$7,252	$10,802	$18,054
Chaswil, Inc./Paul E. Williams	6,413	7,987	14,400
Greater Miami Federal Savings & Loan Association	6,260	28,520	34,780
Total	19,925	47,309	67,234

Through May 31, 1973 you paid from your personal funds for improvements to these properties in the amounts of $37,942 with respect to 500 Bay Lane, and $38,479 with respect to 516 Bay Lane as follows:

	500 Bay Lane	516 Bay Lane
Remodeling	$24,734	$29,687
Furniture	13,208	8,792
Total	37,942	38,479

At May 31, 1973 these properties were subject to the liens of mortgages as follows:

Mortgagee	Annual interest rate (percent)	Monthly installments including interest	Balance of mortgage
500 Bay Lane:			
First Federal Savings & Loan Association of Miami.	6	$359 to June 1985.	$37,316
Paul E. Williams	6	$300 to November 1984.	29,878
516 Bay Lane: Greater Miami Federal Savings & Loan Association.	7.5	$740 to May 1994.	93,740
Total			$160,934

Residential Property, San Clemente

We examined documents indicating that Richard M. Nixon and Patricia Nixon, as joint tenants, are beneficiaries of a revocable Trust established April 24, 1969 which terminates in ten years. This Trust was formed to enable the Trustee (Title Insurance and

Trust Company of Los Angeles) to take title in your behalf to real property in San Clemente, California.

The Trustee has taken title to two parcels of real property with the following consideration:

The Cotton Parcel:		
Land (approximately 26 acres) and buildings purchased July 15, 1969 from Victoria Reyes Cotton Ogden, Lionel E. Ogden, Edwin L. Harbach, trustees under deed of trust executed June 14, 1961, Victoria Cotton Ogden, Lucy Ellen Cotton, and Janice Ogden Vest (formerly Janice Lucy Ogden)		$1,400,000
Other costs in connection with the purchase		100
		1,400,100
The Elmore Parcel:		
Land (approximately 2.9 acres) purchased October 13, 1969 from John J. Elmore, John Jameson Elmore and Stephen Henry Elmore, trustees under last will and testament of Hetty J. Elmore	$100,000	
Other costs in connection with the purchase	54	100,054
Total		1,500,154

Payment for the Cotton Parcel was made as follows:

Promissory Note with Purchase Money Trust Deed, issued to sellers, payable in four installments of $100,000 each July 15 thereafter, and $600,000 payable July 15, 1974, with annual interest at 7.5 percent (the Cotton note)	$1,000,000
Cash paid by you	399,609
(The proceeds of a loan to you from Robert H. Abplanalp in the amount of $450,000 with annual interest at 8 percent, had been deposited in your bank account on July 11, 1969.)	
Net settlement for real estate taxes	491
Total	1,400,100

Payment for the Elmore Parcel was made as follows:

Promissory Note with Purchase Money Trust Deed, issued to sellers, payable in five installments of $16,000 each October 13, including October 13, 1974, with annual interest at 7.5% (the Elmore note)	$80,000
Cash paid by you	20,054
Total	100,054

The foregoing obligations are secured solely by the property held in Trust and do not involve any personal liability.

On July 15, 1970, the proceeds of a loan from Robert H. Abplanalp in the amount of $175,000, with interest at 8%, were deposited in your bank account. On that date, you paid the current installment on the Cotton note ($100,000) and the related interest ($75,000).

On October 13, 1970, you paid from your personal funds the current installment on the Elmore note ($16,000) and the related interest ($6,000).

On December 15, 1970, you sold a portion of your interest in the Trust, representing the entire Elmore Parcel (2.9 acres) and a part (approximately 20.1 acres) of the Cotton Parcel, to Robert H. Abplanalp and C. G. Rebozo, co-partners doing business under the firm name and style of B. & C. Investment Company. On December 24, 1970, the Trustee acknowledged receipt of a document of assignment and transfer of a part of your interest in the Trust to B. & C. Investment Company.

Consideration received for this sale consisted of:

Assumption of obligation under Promissory Notes of B. & C. Investment Company of:		
Part of the Cotton note	$560,000	
The Elmore note	64,000	
Principal amount of two notes payable to Robert H. Abplanalp, deemed paid	625,000	$1,249,000

After the sale, you retained your interest in the Trust representing approximately 5.9 acres of the Cotton Parcel including the residence and other improvements referred to as Casa Pacifica, and had an obligation of $340,000 representing the unpaid portion of the Cotton note which had not been assumed by B. & C. Investment Company.

Subsequently, you paid from your personal funds the interest ($56,883) owed on the notes payable to Robert H. Abplanalp (the principal of which was deemed paid in connection with the sale to B. & C. Investment Company), the interest ($28,993) due to December 15, 1970 on the Cotton and Elmore notes, and the installments and interest ($113,102) due in 1971 and 1972 on the part of the Cotton note not assumed by B. & C. Investment Company.

At May 31, 1973, the unpaid balance of the Cotton note amounted to $700,000. At that date, your obligation for the note amounted to $264,440. It is due, with interest of 7.5%, in installments of $37,780 and $226,660 on July 15, 1973 and 1974, respectively. Your interest in Casa Pacifica is subject to the terms of the Purchase Money Trust Deed issued with the Cotton note.

Prior to May 31, 1973 you incurred and paid from your personal funds $217,270 for improvements, furnishings and other costs at Casa Pacifica as follows:

Description:		*Amount*
Improvements and furnishings:		
Kitchen remodeling		$30,440
Other remodeling costs		27,167
Painting		25,165
Swimming pool, including heater		14,950
Work on sewer system		13,318
Landscaping		7,804
Work on porch and fireplace		5,936
Driveway paving		1,146
Other costs		6,188
Furnishings		55,863
		187,977
Acquisition costs:		
Commission to realtor	$25,000	
Geotechnical survey	4,293	29,293
Total		217,270

Amounts Paid for Operations of the Presidential Properties

During the period from the respective dates of purchase to May 31, 1973, you have paid from your personal funds certain operating expenses, exclusive of interest, of your residences in Key Biscayne, Florida and in San Clemente, California. The amounts paid, after deducting $4,800 representing utilities and maintenance costs of the golf facilities at San Clemente that were reimbursed by The Golfing Friends of the President, were:

Real estate taxes	[1] $72,298
Utilities	31,175
Fire and casualty insurance	4,713
Household maintenance	59,104
Total	167,290

[1] This amount does not include $2,125 of real estate taxes that were accrued but were not paid at May 31, 1973.

Opinion

The amounts set forth above with respect to the purchase or improvement of the residential properties are stated on the basis

of your cost. They do not include any amounts paid by the Government of the United States or others in connection with these residences.

In our opinion, the information set forth above presents fairly: (a) the purchase of your residential properties and the sources of the funds used therefor; (b) the amounts paid by you (i) with respect to the related obligations including interest, (ii) for improvements and furnishings, and (iii) for operations of the residential properties, all through May 31, 1973; and (c) the balance of those obligations outstanding at that date that are related to the properties.

Very truly yours,

COOPERS & LYBRAND

[The President and Mrs. Nixon, the White House, Washington, D.C. 20500]

The White House Press Office also made available the following documents covering the purchase of the San Clemente property:

1. Letter of Instructions dated April 24, 1969, from Kalmbach, De Marco, Knapp and Chillingworth to Title Insurance and Trust Co. of Los Angeles, accepted by the trust company, directing it to acquire the Cotton property in its name, and open an escrow for the purpose.

2. Settlement Sheet on Cotton property and Deed of Trust dated July 10, 1969, to Cotton property. Note of Title Insurance and Trust Co. to Cotton for $1 million. Deed from Cotton to Title Insurance and Trust Co. dated June 30, 1969. Related documents.

3. Declaration of Trust by Title Insurance and Trust Co. dated August 25, 1970, for President and Mrs. Nixon with their approval attached.

4. Settlement Sheet on Elmore Property and Deed of Trust by Title Insurance and Trust Co. dated September 11, 1969. Note of Title Insurance and Trust Co. to John Elmore et al. for $80,000. Deed dated September 11, 1969, from John Elmore et al. to Title Insurance and Trust Co. Related documents.

5. Sales Agreement dated December 15, 1970, between Richard M. Nixon and Patricia Nixon with Robert H. Abplanalp and C. G. Rebozo.

6. Assignment and Transfer of Beneficial Interest dated December 15, 1970, to B. & C. Investment Co.

Disaster Assistance for New Hampshire

Announcement of Amendment of Disaster Declaration Following Additional Storms and Flooding. August 28, 1973

The President today amended his July 11, 1973, declaration of a major disaster for New Hampshire as a result of severe storms and flooding beginning on or about June 26 to include additional damage caused by severe storms and flooding during the period August 2–4. The President's action, taken at the request of Gov. Meldrim Thomson, Jr., of New Hampshire, will permit the use of Federal funds for relief and recovery efforts in the affected areas.

Federal assistance from the President's Disaster Relief Fund will consist primarily of debris removal and the repair or restoration of damaged or destroyed public facilities, including roads, bridges, sewer and water systems, and public utilities. Low-interest-rate disaster loans from the Small Business Administration will be made available under the authorities of Public Law 93–24.

Federal relief activities in the areas struck by the severe storms and flooding will be coordinated by the Federal Disaster Assistance Administration, Department of Housing and Urban Development, under the direction of Administrator Thomas P. Dunne. Mr. John F. Sullivan, Regional Director for Federal Disaster Assistance, HUD Region 1 (Boston), who was appointed Federal Coordinating Officer for the President's July 11 declaration of a major disaster, will also coordinate the Federal relief and recovery activities in the areas that sustained the recent flood damage.

NOTE: The announcement was released at San Clemente, Calif.

Imports of Nonfat Dry Milk

Proclamation 4238. August 28, 1973

AMENDING PART 3 OF THE APPENDIX TO THE TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE IMPORTATION OF AGRICULTURAL COMMODITIES

By the President of the United States of America a Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamation on the quantities of certain dairy products which may be imported into the United States in any quota year; and

WHEREAS, the import restrictions proclaimed pursuant to said section 22 are set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

WHEREAS, the Secretary of Agriculture has reported to me that he believes that additional quantities of dried milk provided for in item 950.02 of the Tariff Schedules of the United States (hereinafter referred to as "nonfat dry milk") may be entered for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS, the Secretary of Agriculture has determined and reported to me that a condition exists with respect to nonfat dry milk which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during the period ending October 31, 1973, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

WHEREAS, I find and declare that the entry during the period ending October 31, 1973, of an additional quantity of 100,000,000 pounds of nonfat dry milk will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk; and that a condition exists which requires emergency treatment and that the quantitative limitation imposed on nonfat dry milk should be increased during such period without awaiting the recommendations of the United States Tariff Commission with respect to such action;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that subdivision (vi) of headnote 3(a) of part 3 of the Appendix to the Tariff Schedules of the United States is amended to read as follows:

(vi) Notwithstanding any other provision of this part, 25,000,000 pounds of dried milk described in item 115.50 may be entered during the period beginning December 30, 1972, and ending February 15, 1973, 60,000,000 pounds of such milk may be entered during the period beginning May 11, 1973, and ending June 30, 1973, 80,000,000 pounds of such milk may be entered during the period beginning July 19, 1973, and ending August 31, 1973, and 100,000,000 pounds of such milk may be entered during the period beginning the day after the date of issuance of this proclamation and ending October 31, 1973, in addition to the annual quota quantity specified for such article under item 950.02, and import licenses shall not be required for entering such additional quantities. No individual, partnership, firm, corporation, association, or other legal entity (including its affiliates or subsidiaries) may during each such period enter pursuant to this provision quantities of such additional dried milk totaling in excess of 2,500,000 pounds. The 100,000,000 pound additional quota quantity authorized to be entered during the period ending October 31, 1973, shall be allocated among supplying countries as follows:

Supplying country	*Quantity in pounds*
Australia	25,000,000
New Zealand	25,000,000
Canada	10,000,000
Member States of the European Economic Community	40,000,000

The 100,000,000 pound additional quota quantity provided for herein shall continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of August, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.

RICHARD NIXON

[Filed with the Office of the Federal Register, 11:36 a.m., August 28, 1973]

NOTE: The text of the proclamation was released at San Clemente, Calif.

Imports of Nonfat Dry Milk

The President's Letter to Catherine May Bedell, Chairman, U.S. Tariff Commission. August 28, 1973

Dear Madam Chairman:

Pursuant to Section 22 of the Agricultural Adjustment Act, as amended, I have been advised by the Secretary of Agriculture, and I agree with him, that there is reason to believe that additional supplies of nonfat dried milk may be imported during a temporary period ending October 31, 1973, without rendering or tending to render ineffective, or materially interfering with, the price support program for milk now conducted by the Department of Agriculture, or reducing substantially the amount of products processed in the United States from domestic milk.

Specifically, reference is made to the following article presently subject to Section 22 quantitative limitations under item 950.02 of the Tariff Schedules of the United States:

> Dried milk, provided for in part 4 of schedule 1 of the Tariff Schedules of the United States Annotated (1972), described in item 115.50 (Dried milk, other than buttermilk, containing not over 3 percent of butterfat).

The Secretary has also advised me, pursuant to Section 22(b) of the Agricultural Adjustment Act, as amended, that a condition exists requiring emergency treatment with respect to nonfat dried milk and has, therefore, recommended that I take immediate action under Section 22(b) to authorize the importation of 100,000,000 pounds during a temporary period ending October 31, 1973. I have, therefore, this day issued a proclamation establishing a special temporary quota of 100,000,000 pounds to be effective through October 31, 1973. This quota is in addition to the quantities otherwise authorized to be imported under Section 22 quantitative limitations.

The United States Tariff Commission is, therefore, directed to make an investigation under Section 22 of the Agricultural Adjustment Act, as amended, and to make findings and recommendations as to whether 100,000,000

pounds of the above-described article may be imported during a temporary period ending October 31, 1973, in addition to the quantities otherwise authorized to be imported under Section 22 quantitative limitations without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk, or reducing substantially the amount of products processed in the United States from domestic milk.

The Commission is directed to report its findings and recommendations at the earliest practicable date.

Sincerely,

RICHARD NIXON

NOTE: The text of the President's letter was released at San Clemente, Calif. For the text of the proclamation, see the preceding item.

India-Pakistan Agreement on Return of Prisoners of War

White House Statement. August 28, 1973

We have not yet seen the text of the reported agreement, so we cannot comment in detail. However, the United States welcomes this most recent and heartening forward step which strengthens the prospects for a new era of peace, stability, and cooperation in the Subcontinent. India, Pakistan, and Bangladesh have demonstrated both their willingness and their ability to work out problems on their own. The agreement is a tribute to the steadfastness and farsightedness of the leaders of each of these nations.

NOTE: The statement was made available by the White House Press Office at San Clemente, Calif. It was not issued in the form of a White House press release.

Complaint Filed by the Senate Select Committee on Presidential Campaign Activities

Answer Filed by Attorneys for the President in Response to the Committee's Complaint Regarding Subpoena of Recordings and Documents. August 29, 1973

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

SENATE SELECT COMMITTEE ON PRESIDENTIAL CAMPAIGN ACTIVITIES, suing in its own name and in the name of the UNITED STATES,

and

SAM J. ERVIN, JR.; HOWARD H. BAKER, JR.; HERMAN E. TALMADGE; DANIEL K. INOUYE; JOSEPH M. MONTOYA; EDWARD J. GURNEY; and LOWELL P. WEICKER, JR., as United States Senators who are members of the Senate Select Committee on Presidential Campaign Activities

Plaintiffs

v.

RICHARD M. NIXON, individually and as President of the United States

Defendant

Civil Action No. 1593–73

ANSWER

Richard M. Nixon, answering the complaint filed in above-styled cause, states as follows:

1. Admits the truth of the allegations contained in paragraph one of the complaint, but denies that plaintiffs acted within their authority in issuing the subpoenas duces tecum to the President of the United States and thereafter in instituting this action.

2. Denies the truth of the allegation contained in paragraph two of the complaint.

3. Admits the truth of the allegations contained in paragraph three of the complaint, but denies that plaintiffs are entitled to investigate criminal conduct; and further denies that plaintiffs are empowered to bring suit against the President of the United States.

4. Admits the truth of the allegations contained in paragraph four of the complaint, but denies that the members of the Senate Select Committee are empowered to bring suit in their official capacities as members of that Committee.

5. Admits the truth of the allegations contained in paragraph five of the complaint, but denies that the President of the United States can be sued in his official capacity; and further denies that he can be sued individually for acts performed in his official capacity.

6. Denies the truth of the allegations contained in paragraphs six through ten of the complaint.

7. Admits the truth of the allegations contained in paragraph eleven, but denies that plaintiffs are empowered to subpoena materials from the President of the United States.

8. Admits the truth of the allegations contained in paragraphs twelve through fifteen of the complaint.

9. Admits the truth of the allegation contained in paragraph sixteen of the complaint, but denies that any court has jurisdiction to quash, modify, or narrow a subpoena issued by a Committee of Congress.

10. Admits the truth of the allegations contained in paragraph seventeen of the complaint.

11. Alleges that he is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph eighteen of the complaint, and denies that he has conceded the relevancy of any "tapes" to plaintiffs' investigation.

12. Denies the truth of the allegations contained in paragraphs nineteen through twenty-five of the complaint.

In further defense to the complaint, Richard M. Nixon states as follows:

FIRST DEFENSE

That the complaint fails to state a claim upon which relief can be granted.

SECOND DEFENSE

That this Court lacks jurisdiction over the person of Richard M. Nixon in this action, either individually or as President of the United States.

THIRD DEFENSE

That this Court lacks jurisdiction over the subject matter of this action because:

(a) the matter in controversy does not exceed the sum or value of ten thousand dollars, exclusive of interest and costs, as required by 28 U.S.C. 1331;

(b) this is not an action commenced on behalf of the United States within the meaning of 28 U.S.C. 1345, because plaintiffs are not expressly authorized to sue on behalf of the United States by an Act of Congress; Senate Resolution 262, 70th Cong., 1st Sess. (1928) is not sufficient authorization to sue;

(c) Richard M. Nixon owes no duty, either individually or as President of the United States, to the plaintiffs that affords mandamus jurisdiction within the meaning of 28 U.S.C. 1361; and

(d) this matter is not reviewable under 5 U.S.C. 701–706 or any relevant statute because the plaintiffs have not suffered any legal wrong nor have they been adversely affected or aggrieved as the result of any agency action.

FOURTH DEFENSE

That this action presents no justiciable controversy as required by Article III of the United States Constitution, and 28 U.S.C. 2201 and 2202.

FIFTH DEFENSE

That plaintiffs lack standing to bring this action.

SIXTH DEFENSE

That Senate Resolution 60, 93rd Cong., 1st Sess. (1973), purports to authorize an investigation of alleged criminal conduct, and that upon information and belief the investigation by plaintiffs has been, in fact, a criminal investigation and trial conducted for the purpose of determining whether or not criminal acts have been committed and the guilt or innocence of individuals, which Resolution and investigation exceed the legislative powers granted to the Congress in Article I of the Constitution.

SEVENTH DEFENSE

That the subpoenas upon which this action is predicated are null and void in that the Senate has not authorized the issuance of a subpoena to the President of the United States.

EIGHTH DEFENSE

That plaintiffs have failed, as required by Senate Resolution 60, Sec. 3(a)(6), 93rd Cong., 1st Sess. (1973) to refer the President's action to the United States Senate for appropriate review and action.

NINTH DEFENSE

That the subpoena duces tecum attached as Exhibit D to the complaint is so unreasonably broad and oppressive as to make compliance impossible.

TENTH DEFENSE

That the relief sought by plaintiffs constitutes an unconstitutional attempt to interfere with the confidentiality of private records of conversations between the President of the United States and his closest advisers relating to the official duties of the President.

WHEREFORE, premises considered, the relief prayed for should be denied.

Respectfully submitted,

LEONARD GARMENT
J. FRED BUZHARDT
CHARLES ALAN WRIGHT
DOUGLAS M. PARKER
ROBERT T. ANDREWS
THOMAS P. MARINIS, Jr.
RICHARD A. HAUSER
Attorneys for the President
The White House
Washington, D.C. 20500
Telephone Number:
456–1414
By:

CERTIFICATE OF SERVICE

I, J. Fred Buzhardt, hereby certify that on this 29th day of August, 1973, I have served the foregoing Answer

on counsel for the plaintiffs by causing copies thereof to be hand-delivered to the office of

Samuel Dash
Chief Counsel
Senate Select Committee on Presidential Campaign Activities
United States Senate
Washington, D.C. 20510

J. FRED BUZHARDT

NOTE: Copies of the answer were made available by the White House Press Office.

United States Ambassador to Morocco

Announcement of Intention To Nominate Robert G. Neumann. August 29, 1973

The President today announced his intention to nominate Robert G. Neumann to be Ambassador to Morocco. He will succeed Stuart W. Rockwell, a career Foreign Service officer who is returning to the Department of State.

Since 1966, Ambassador Neumann has served as Ambassador to Afghanistan. From 1947 to 1966, he taught at the University of California at Los Angeles, and from 1959 to 1966 he served as director of UCLA's Institute of International and Foreign Studies. Before joining the UCLA faculty, Ambassador Neumann was an instructor at the State Teachers College, Oshkosh, Wis. (1941–43), and a lecturer at the University of Wisconsin (1946–47).

He was born on January 2, 1916, in Vienna, Austria. Ambassador Neumann was educated at the University of Rennes (Diplome Superieur, 1936); Geneva School of International Studies (Diploma Consular Academy, 1937); University of Vienna (student, 1938); Amherst College (M.A., 1940); and the University of Minnesota (Shevlin fellow, 1939–40; Ph.D., 1946). He is a naturalized American citizen and served as an officer in the U.S. Army from 1942 to 1946.

His other positions have included: director, American Seminar Political, Economic, and Special Sciences, Nice, France (1957); chairman, International Relations Section, Town Hall (1956–62); Haynes Foundation fellow and Social Science Research Council fellow (both 1950–51); and Fulbright fellow, France (1954–55). In 1962, he was Adviser to the Secretary of Defense, International Security Affairs, American Delegation, NATO Ministerial Conference, Paris. He is the author of "European and Comparative Government" (third edition, 1960) and a contributor of articles in several journals. He was an editorial writer for the Los Angeles Times from 1952 to 1959. In 1955, he was awarded an honorary medal by the University of Brussels and was decorated with the Legion of Honor, France, in 1957, and the officers cross, Order of Merit (Federal Republic of Germany) in 1963.

Ambassador Neumann is married to the former Marlen Eldredge, and they have two sons.

NOTE: The announcement was released at San Clemente, Calif.

Floods in Pakistan

Statement by the President Expressing Concern and Sympathy for the People of Pakistan and Announcing Plans for Assistance in Relief and Recovery. August 29, 1973

The American people have the deepest concern and sympathy for the people of Pakistan as they battle terrible floods, the most serious of this century, under the leadership of Prime Minister Zulfikar Ali Bhutto. Whole areas of Pakistan are being ravaged. Initial reports indicate that the number of people dead or missing is tragically large, that millions of people are homeless, and that the extent of property damage is mounting into hundreds of millions of dollars. The previously bright prospects for Pakistan's development have been temporarily dimmed.

In an immediate response to this situation, U.S. helicopters and boats with their crews are already engaged in helping with immediate rescue work and with the movement of vital relief supplies. Medical and other urgent needs are being met. Pakistan needs help, and I know its friends in the international community will respond generously.

In response to longer-term needs, I have directed that 100,000 metric tons of U.S. wheat be made available to the people of Pakistan to provide some immediate relief before their next harvest.

Further, I am directing that the U.S. begin now in helping with the rehabilitation and recovery of Pakistan to assure prompt and effective action for immediate relief and for our contribution to an early recovery. I have asked AID Deputy Administrator Maurice J. Williams, my special relief coordinator for major disasters abroad, to go to Pakistan to review with the Pakistan government immediate relief and longer-range reconstruction needs. He will report to me, and, after appropriate consultation with the Congress, we will continue to assure that the Government of the United States, in cooperation with other countries, will do all that it can to help our Pakistani friends recover from this terrible devastation.

NOTE: The statement was released at San Clemente, Calif.

Court Order Requiring Production of Recordings and Documents

White House Statement Following Issuance of the Order by John J. Sirica, Chief Judge of the United States District Court for the District of Columbia. August 29, 1973

As Mr. Wright pointed out in his oral argument before the court, *in camera* inspection of these tapes is inconsistent with the President's position relating to the question of separation of powers as provided by the Constitution and the necessity of maintaining the precedent of confidentiality of private Presidential conversations for this President and for Presidents in the future. The President consequently will not comply with this order.

White House Counsel are now considering the possibility of obtaining appellate review, or how otherwise to sustain the President's position.

NOTE: The White House statement was made available by the White House Press Office at San Clemente, Calif. It was not issued in the form of a White House press release.

Judge Sirica's order, dated August 29, 1973, read as follows:

This matter having come before the Court on motion of the Watergate Special Prosecutor made on behalf of the June, 1972 grand jury of this district for an order to show cause, and the Court being advised in the premises, it is by the Court this 29th day of August, 1973, for the reasons stated in the attached opinion,

ORDERED that respondent, President Richard M. Nixon, or any subordinate officer, official or employee with custody or control of the documents or objects listed in the grand jury subpoena *duces tecum* of July 23, 1973, served on respondent in this district, is hereby commanded to produce forthwith for the Court's examination *in camera*, the subpoenaed documents or objects which have not heretofore been produced to the grand jury; and it is

FURTHER ORDERED that the ruling herein be stayed for a period of five days in which time respondent may perfect an appeal from the ruling; and it is

FURTHER ORDERED that should respondent appeal from the ruling herein, the above stay will be extended indefinitely pending the completion of such appeal or appeals.

JOHN J. SIRICA
Chief Judge

For briefs previously submitted to the court by the attorneys for the President see pages 961 and 999 of the Weekly Compilation of Presidential Documents.

Court Order Requiring Production of Recordings and Documents

White House Statement on the President's Decision To Appeal. August 30, 1973

The President met today with his White House Counsel and it has been decided that Counsel will seek review in the Court of Appeals for the District of Columbia of Judge Sirica's order. Appropriate papers for obtaining review are being prepared and will be filed prior to the expiration of the stay of the order next Thursday.

NOTE: The statement was made available by the White House Press Office at San Clemente, Calif. It was not issued in the form of a White House press release.

Pay Rates for Federal Employees

The President's Message to the Congress on His Intention To Recommend a Pay Increase Effective December 1, 1973. August 31, 1973

To the Congress of the United States:

At a time when the rising cost of living is a major concern to us all, the Federal Government and its employees have a special obligation to avoid any action that would needlessly fan the flames of inflation. This obligation must not be taken lightly, even in cases when meeting it involves a reasonable element of self-denial.

It is in this spirit, and with the knowledge that the action I am taking will help to hold down the cost of living for all Americans, that I now recommend a sixty day deferral in the pending pay adjustment for Federal employees.

As required by law, I am also transmitting to the Congress an alternative plan designed to meet both the rightful needs of those who serve the Government and the common interest of the general public who must bear the burden of increased inflation.

Under this plan, a pay increase for all Federal employees based upon an appropriate comparability adjustment would become effective on the first pay period beginning on or after December 1, 1973. The level of the comparability adjustment will be determined during the next few weeks. My "agent" on Federal pay, the Director of the Office of Management and Budget and the Chairman of the Civil Service Commission, has recommended an average pay increase of 4.77 percent. This recommendation is now being reviewed by my advisory committee on pay, and this committee will make its own recommendations to me in late September. At that time, I will make my decision on the appropriate comparability adjustment.

I regret asking for this postponement of a Federal pay increase but there can be no doubt of its necessity. At a critical time in the economic health of our Nation, when many are being called on to make sacrifices in order to hold down inflation, no one should enjoy special immunity. Thus far labor and management in the private sector have done their share by acting with commendable restraint in agreeing upon new wage increases. As one of the largest groups of workers in the country, Federal employees can do no less. In fact, Federal employees have

a unique role to play in the fight against inflation because every dollar of their pay comes out of the Federal budget. It is especially important this year, as we seek a balanced, noninflationary budget, that Federal spending be held to a minimum.

I urge the Congress to support this action, not because it is politically expedient or the easy thing to do, but because it is in the best interest of all Americans.

The alternative plan is attached.

RICHARD NIXON

The White House,
August 31, 1973.

FEDERAL PAY COMPARABILITY ALTERNATIVE PLAN

In consideration of the economic conditions affecting the general welfare, I hereby transmit to the Congress the following alternative plan, as authorized and required by section 5305(c)(1) of title 5, United States Code:

> Such adjustments in the rates of pay of each Federal statutory pay system as may be determined, based on the 1973 Bureau of Labor Statistics survey, shall become effective on the first day of the first applicable pay period that begins on or after December 1, 1973.

NOTE: The text of the message was released at San Clemente, Calif.

Labor Day, 1973

Message of the President. August 31, 1973

America is a great nation because of the strength and character of the American people. Without the full-hearted support of an intelligent, energetic labor force, all of our technological and theoretical breakthroughs would have been wasted; with that support, they have made America the most prosperous, progressive nation in the world.

On Labor Day we pay tribute to the working men and women to whom America owes so much. On this day, we also give thanks for the fact that in our free society—more than anywhere else on earth—the laborer can enjoy the results of his labor and the freedom to choose where and how he will apply his skills. By working together, labor, management and government in America have achieved a standard of living and a climate of opportunity and individual rights unequalled in the history of man.

But in a competitive world, no matter how great our past achievements, we must not fall victim to complacency. The soul and sinew of American labor must continue to be a force for progress and productivity. The continuing vitality of our economy and, through it, of our entire way of life, rests in large measure on the willingness, understanding and cooperation of the working men and women of America. They have not failed us before and they will not fail us now.

For all of us, then, Labor Day 1973 should be a time of rededication as well as thanksgiving—a time when we renew our dedication to preserving an abundant America, free and secure, for this and future generations.

RICHARD NIXON

NOTE: The message was made available by the White House Press Office at San Clemente, Calif. It was not issued in the form of a White House press release.

Death of John Ford

Statement by the President. August 31, 1973

In the history of American films, no name shines more brightly than that of John Ford. A consummate master of his craft, he was one of the pioneers in transforming an infant industry into an art form that developed in America and swept the world. He was also a man who deeply loved his country, and who helped at least three generations of Americans to a fuller understanding of their Nation and its heritage. He represented the best in American films, and the best in America.

NOTE: John Ford, 78, died after a long illness at his home in Palm Desert, Calif. on August 31, 1973.

During a career which spanned more than 50 years, he directed over 130 feature films. He won Academy Awards for his direction of "The Informer," "The Grapes of Wrath," "How Green Was My Valley," and "The Quiet Man."

Digest of Other White House Announcements

Following is a listing of items of general interest which were announced to the press during the period covered by this issue but which are not carried elsewhere in the issue.

August 27

The President today accepted with regret the resignation of Clarence M. Coster as Associate Administrator of the Law Enforcement Assistance Administration.

The President talked by telephone with former Counsellor to the President Robert H. Finch.

The President today accepted the resignation of Nicholas G. Thacher as U.S. Ambassador to Saudi Arabia. Ambassador Thacher, a career Foreign Service officer, is returning to the Department of State for reassignment.

August 28

The President named Edward J. Piszek and Waller Taylor II, to be members of the Board of Governors of

the United Service Organizations, Inc., and Mrs. Robert Six (Audrey Meadows), Lita Baron, and Charlton Heston to be members of the Corporation.

The President today accepted, with regret and with appreciation for his contributions to the Nation's foreign policy, the resignation of Emory C. Swank as U.S. Ambassador to the Khmer Republic.

August 29

The President announced the appointment of four persons to be members of the National Advisory Council on Extension and Continuing Education for terms expiring June 30, 1976. They are: Nancy M. Boykin, Newton Cattell, Evelyn Silas, and S. I. Hayakawa.

The White House announced that on August 28 the President sent a personal message to President Luis Echeverría Alvarez of Mexico, in which he said, "The people of the United States join me in extending deepest sympathy to you and to the people of Mexico who have suffered so much from today's tragic earthquake."

August 30

The President met at the Western White House with Herbert Brownell, Special Representative for resolution of the Colorado River salinity problem with Mexico. Ambassador Brownell reported on the completion of an agreement with the Mexican Government which was signed today in Mexico City.

August 31

The President returned to Washington from his home in San Clemente, Calif.

September 1

The President met at the White House with Vice President Spiro T. Agnew.

CHECKLIST OF WHITE HOUSE PRESS RELEASES

Listed below are releases of the Office of the White House Press Secretary during the period covered by this issue which have not been included in the issue.

Released August 23, 1973

News briefing: on the state of the economy and on economic statistics for July—by Herbert Stein, Chairman, and Gary L. Seevers, member, Council of Economic Advisers

CHECKLIST OF WHITE HOUSE PRESS RELEASES—Continued

Released August 30, 1973

Fact sheet: on Colorado River salinity agreement with Mexico

Text: Minute No. 242—Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River

News briefing: on Colorado River salinity agreement with Mexico—by Herbert Brownell, Special Representative of the President

Released August 31, 1973

Energy Policy Office notice of public hearing for the establishment of a mandatory allocation program for propane fuel

ACTS APPROVED BY THE PRESIDENT

NOTE: No acts approved by the President were received by the Office of the Federal Register during the period covered by this issue.

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No nominations were submitted to the Senate during the period covered by this issue.

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